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ATTACHMENT (D)

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[Working Draft]  
August 8, 1984

revised as  
of 9/7/84

98TH CONGRESS  
2D SESSION

H. R. \_\_\_\_\_

IN THE HOUSE OF REPRESENTATIVES

Mr. \_\_\_\_\_ introduced the following bill; which was  
referred to the Committee on \_\_\_\_\_

A BILL

To combat international terrorism.

- 1 Be it enacted by the Senate and House of Representatives
- 2 of the United States of America in Congress assembled, That
- 3 this Act may be cited as the "Act to Combat International
- 4 Terrorism".

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1       ''(c) In carrying out subsection (a), the President is  
2 authorized to require licenses, which may be revoked,  
3 suspended, or amended, without prior notice, whenever such  
4 action is deemed to be advisable.

5       ''(d)(1) As used in this section, the term 'foreign  
6 armed entity' means--

7           ''(A) any military or paramilitary forces, any  
8 police or other law enforcement agency, and any  
9 intelligence agency of a foreign government; and

10          ''(B) any organized group--

11           ''(i) that systematically engages in the use of  
12 acts of violence for political ends, and

13           ''(ii) that either--

14           ''(I) is composed wholly or primarily of  
15 foreign nationals, or

16           ''(II) operates wholly or primarily outside  
17 the United States.

18       ''(2) As used in this section, the term 'foreign armed  
19 entity or individual' means any foreign armed entity, as  
20 defined in paragraph (1), and any individual who  
21 systematically engages in the use of acts of violence for  
22 political ends outside the United States.

23       ''(3) As used in this section, the term 'United States'  
24 includes any State, the District of Columbia, Puerto Rico,  
25 the Northern Mariana Islands, or any territory or possession

1 of the United States.

2       ''(4) As used in this section, the term 'United States  
3 person' means any United States national, any permanent  
4 resident alien, and any sole proprietorship, partnership,  
5 company, association, or corporation organized under the  
6 laws of or having its principal place of business within the  
7 United States.

8       ''(e) Whoever willfully violates any regulation issued  
9 under this section shall be fined not more than \$100,000 or  
10 five times the total compensation received for the conduct  
11 which constitutes the violation, whichever is greater, or  
12 imprisoned for not more than ten years, or both, for each  
13 such offense.

14       ''(f)(1) Not less than 30 days prior to issuing any  
15 regulations under this section (including any amendments  
16 thereto), the President shall transmit the proposed  
17 regulations to the Congress.

18       ''(2) Not less than once every six months, the President  
19 shall report to the Congress concerning the number and  
20 character of licenses granted and denied during the previous  
21 reporting period, and such other information as the  
22 President may find to be relevant to the accomplishment of  
23 the objectives of this section.

24       ''(g) The authority granted by this section is in  
25 addition to the authorities granted by any other provision

1 of law.

2       ''(h) Any regulations issued under this section, which  
3 impose controls on the provision of services to or for a  
4 foreign armed entity or individual, shall also require that  
5 contributions (including contributions of cash, goods, or  
6 other things of value) to that foreign armed entity or  
7 individual be reported to the President. This subsection  
8 applies with respect to contributions made anywhere in the  
9 world by a United States person and to contributions made  
10 from within the United States by any other individual or  
11 entity. For purposes of violations of the regulations issued  
12 pursuant to this subsection, the phrase 'total compensation  
13 received for the conduct which constitutes the violation' in  
14 subsection (e) shall be deemed to read 'value of the  
15 contribution which was not reported in accordance with the  
16 regulation'.''.

17       REWARDS FOR INFORMATION ON INTERNATIONAL TERRORISM

18       SEC. 3. (a) The Secretary of State may pay a reward to  
19 any individual who furnishes information--

20               (1) leading to the arrest or conviction, in any  
21 country, of any individual for the commission of an act  
22 of international terrorism against a United States  
23 person or United States property; or

24               (2) leading to the arrest or conviction, in any  
25 country, of any individual for conspiring or attempting

1       to commit an act of international terrorism against a  
2       United States person or United States property; or

3           (3) leading to the prevention, frustration, or  
4       favorable resolution of an act of international  
5       terrorism against a United States person or United  
6       States property.

7       (b) A reward of \$100,000 or more may not be made without  
8       the approval of the President or his designee.

9       (c) Before making a reward under this section in a  
10      matter over which there is Federal criminal jurisdiction,  
11      the Secretary of State shall advise and consult with the  
12      Attorney General.

13      (d) Any reward granted under this section shall be  
14      certified by the Secretary of State. If the Secretary  
15      determines that the identity of the recipient of a reward or  
16      of the members of the recipient's immediate family must be  
17      protected, the Secretary may take such measures in  
18      connection with the payment of the reward as he deems  
19      necessary to effect such protection.

20      (e) An officer or employee of any governmental entity  
21      who, while in the performance of his official duties,  
22      furnishes information described in subsection (a) shall not  
23      be eligible for a reward under this section.

24      (f) There are authorized to be appropriated \$5,000,000  
25      for use in paying rewards under this section. Additional

1 funds to pay rewards under this section shall be authorized  
2 to be appropriated in the annual authorizing legislation for  
3 the Department of State. Amount appropriated to carry out  
4 this section are authorized to remain available until  
5 expended.

6 INCREASING INTERNATIONAL COOPERATION TO COMBAT TERRORISM

7 SEC. 4. (a) The President is urged to seek ~~international~~  
8 ~~agreements to assure~~ more effective cooperation in

9 combatting international terrorism, *particularly to counter*

10 (b) ~~In this effort, high priority should be given to the~~  
11 ~~adoption of a Convention for the Suppression of~~  
12 ~~International Terrorism to strengthen international law with~~  
13 ~~respect to terrorist threats and acts. This Convention~~  
14 ~~should establish effective procedures for dealing with~~  
15 ~~international terrorism, including~~

16 (1) severe punishment for acts of terrorism which  
17 endanger the lives of diplomatic staff, military  
18 personnel, other government personnel, or private  
19 citizens; and

20 (2) extradition of all terrorists and their  
21 accomplices to the country where the terrorist incident  
22 occurred or whose citizens were victims of the incident.

23 (c) High priority should also be given to negotiations  
24 leading to the establishment of a permanent international  
25 working group which would combat international terrorism



1 also include proposals to improve the Department's ability  
2 to anticipate and respond in a timely and comprehensive  
3 fashion to terrorist threats, giving special attention to  
4 funding, threat assessment, the management, training, and  
5 recruitment of personnel, coordination among the various  
6 offices and bureaus of the Department, the role of the chief  
7 of mission, the Department's management of buildings abroad,  
8 the relationship between United States missions abroad and  
9 local authorities, and the relationship between security and  
10 political issues.

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Working Draft--June 8, 1984

**AMENDMENT-IN-THE-NATURE-OF-A-SUBSTITUTE TO H.R. 5613**

Strike out all after the enacting clause and insert in lieu thereof the following:

That this Act may be cited as the "Prohibition Against Services in Support of International Terrorism Act".

SEC. 2. (a) The State Department Basic Authorities Act of 1956 is amended by adding at the end thereof the following new title:

**"TITLE III--INTERNATIONAL TERRORISM**

**"FINDINGS AND PURPOSE**

**"SEC. 301. (a) The Congress finds that--**

**"(1) international terrorism endangers the lives and property of United States private entities, endangers United States national security, gravely affects United States foreign policy, and affects domestic tranquility and interstate and foreign commerce;**

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"(2) all acts of international terrorism are to be condemned; and

"(3) United States nationals and others subject to United States jurisdiction should be prevented from placing their abilities and expertise at the disposal of foreign governments which engage in or support international terrorism to the detriment of United States interests enumerated in paragraph (1).

"(b) The purpose of this title is to establish legal controls over the furnishing of specified services by United States nationals and others subject to United States jurisdiction which may materially assist foreign governments in the practice or support of international terrorism.

**"DESIGNATION OF FOREIGN GOVERNMENTS ENGAGING  
IN OR SUPPORTING INTERNATIONAL TERRORISM**

"SEC. 302. (a) Whenever the Secretary of State finds that a pattern of acts or of likely acts of international terrorism perpetrated by <sup>or sponsored</sup> a foreign government is such that United States national security, United States foreign policy, or the physical security of

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under subsection (c)(1) containing comparable information, except that the last sentence of such subsection shall not apply to certifications submitted pursuant to this subsection.

**Sec. 37.<sup>100</sup> Fiscal Provisions Relating to Foreign Military Sales Credits.**—(a) Cash payments received under sections 21, 22, and 29<sup>100</sup> and advances received under section 23 shall be available solely for payments to suppliers (including the military departments) and refunds to purchasers and shall not be available for financing credits and guaranties.

(b) Amounts received from foreign governments and international organizations as repayments for credits extended pursuant to section 23, amounts received from the disposition of instruments evidencing indebtedness under section 24(b) (excluding such portion of the sales proceeds as may be required at the time of disposition to be obligated as a reserve for payment of claims under guaranties issued pursuant to section 24(b), which sums are made available for such obligations),<sup>100</sup> and other collections (including fees and interest) shall be transferred to the miscellaneous receipts of the Treasury.

(c)<sup>101</sup> Notwithstanding the provisions of subsection (b), to the extent that any of the funds constituting the reserve under section 24(c) are paid out for a claim arising out of a loan guaranteed under section 24, amounts received from a foreign government or international organization after the date of such payment, with respect to such claim, shall be credited to such reserve, shall be merged with the funds in such reserve, and shall be available for any purpose for which funds in such reserve are available.

**Sec. 38.<sup>102</sup> Control of Arms Exports and Imports.**—(a)(1) In furtherance of world peace and the security and foreign policy of the United States, the President is authorized to control the import and the export of defense articles and defense services and to provide foreign policy guidance to persons of the United States involved in the export and import of such articles and services. The President is authorized to designate those items which shall be considered as defense articles and defense services for the purposes of this section and to promulgate regulations for the import and export of such articles and services. The items so designated shall constitute the United States Munitions List.

(2) Decisions on issuing export licenses under this section shall be made in coordination with the director of the United States Arms Control and Disarmament Agency and shall take into account the Director's opinion as to whether the export of an article will contribute to an arms race, increase the possibility of outbreak or esca-

<sup>100</sup> 22 U.S.C. 2777.

<sup>101</sup> The references to sec. 29 was added by sec. 105(e)(1) of the International Security and Development Cooperation Act of 1980 (Public Law 96-533; 94 Stat. 3133).

<sup>102</sup> The words to this point beginning with "under section 24(b) (excluding)" were added by sec. 25(11) of the FA Act of 1973.

<sup>103</sup> Subsec. (c) was added by sec. 104(b) of the International Security and Development Cooperation Act of 1980 (Public Law 96-533, 94 Stat. 3133).

<sup>104</sup> 22 U.S.C. 2778. Sec. 38 was added by sec. 212(a)(1) of the International Security Assistance and Arms Export Control Act of 1976 (Public Law 94-329; 90 Stat. 744). Sec. 212(b) of the same Act repealed sec. 414 of the Mutual Security Act of 1954 and stated that any reference to sec. 414 would be considered as a reference to sec. 38 of the Arms Export control Act. See page 320 for complete text of sec. 212(b).

lation of conflict, or prejudice the development of bilateral or multilateral arms control arrangements.

(3)<sup>113</sup> In exercising the authorities conferred by this section, the President may require that any defense article or defense service be sold under this Act as a condition of its eligibility for export, and may require that persons engaged in the negotiation for the export of defense articles and services keep the President fully and currently informed of the progress and future prospects of such negotiations.

(b)(1) As prescribed in regulations issued under this section, every person (other than an officer or employee of the United States Government acting in an official capacity) who engages in the business of manufacturing, exporting, or importing any defense articles or defense services designated by the President under subsection (a)(1) shall register with the United States Government agency charged with the administration of this section, and shall pay a registration fee which shall be prescribed by such regulations. Such regulations shall prohibit the return to the United States for sale in the United States (other than for the Armed Forces of the United States and its allies or for any State for local law enforcement agency) of any military firearms or ammunition of United States manufacture furnished to foreign governments by the United States under this Act or any other foreign assistance or sales program of the United States, whether or not enhanced in value or improved in condition in a foreign country. This prohibition shall not extend to similar firearms that have been so substantially transformed as to become, in effect, articles of foreign manufacture.

(2) Except as otherwise specifically provided in regulations issued under subsection (a)(1), no defense articles or defense services designated by the President under subsection (a)(1) may be exported or imported without a license for such export or import, issued in accordance with this Act and regulations issued under this Act, except that no license shall be required for exports or imports made by or for an agency of the United States Government (A) for official use by a department or agency of the United States Government, or (B) for carrying out any foreign assistance or sales program authorized by law and subject to the control of the President by other means.

(3)<sup>114</sup> . . . [Repealed—1981]

(c) Any person who willfully violates any provision of this section or section 39, or any rule or regulation issued under either section, or who willfully, in a registration or license application or required report, makes any untrue statement of a material fact or omits to state a material fact required to be stated therein or necessary to make the statements therein not misleading, shall upon conviction

<sup>113</sup> Par. (3) was added by sec. 107(c) of the International Security and Development Cooperation Act of 1980 (Public Law 96-533, 94 Stat. 3136).

<sup>114</sup> Par. (3), as amended by sec. 21 of Public Law 96-92 (93 Stat. 710) and sec. 107(a) of Public Law 96-533 (94 Stat. 3136), was repealed by sec. 106 of the International Security and Development Cooperation Act of 1981 (Public Law 97-113; 95 Stat. 1522). Par. (3) had stipulated that no license could be issued under this Act for the export of any major defense equipment sold under contract in the amount of \$100,000,000 or more (exceptions were provided for NATO members, Australia, Japan, New Zealand, countries participating in co-production arrangements).